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EXAMINER

BARON, HENRY

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2462

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/783,587	Applicant(s) KUBLER ET AL.	
	Examiner HENRY BARON	Art Unit 2462	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22, 23, 25-39, 41-66, 68-83, 85-103 and 105-122 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22, 23, 25-39, 41-66, 68-83, 85-103, and 105-122 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

**HIERARCHICAL DATA COLLECTION NETWORK SUPPORTING
PACKETIZED VOICE COMMUNICATION AMONG WIRELESS
TERMINALS AND TELEPHONES**

Response to Arguments/Remarks

1. Claims 22 – 23, 25 – 39, 41 – 66, 68 – 83, 85 to 103, and 105 -- 121 are pending in the Application.
2. Applicant's arguments filed 07/06/2010 have been fully considered.
3. Applicant argues that FIG. 10 of Norman is "a flowchart suitable for programming the operation of an access point in order to register a mobile unit." See *id.* at col. 5, lines 59-60 and the actions illustrated by FIG. 10 are, from the perspective of the "access point" of Norman. Thus, Applicant argues that any teaching of "receiving" a message relating to FIG. 10 is receiving by the "access point" from the "mobile unit" of Norman and any teaching of "transmitting/sending" a message relating to FIG. 10 is transmitting by the "access point" to the "mobile unit" of Norman. Thus Applicants submits that the Office, by identifying Ref. 122 ("receive find router packet") of Norman as teaching Applicants' claimed "sending, by a first terminal via a communication link, a message..." is asserting that the "find router packet" received by the "access point" of Norman teaches Applicants' claimed "message" sent by the "first terminal" and therefore, that the Office is asserting that the "mobile unit" of Norman (which Norman teaches sends the "find router packet") teaches Applicants' claimed "first terminal."
4. Examiner replies that the claim asserts and a first terminal and a second terminal, and in a broad interpretation, an access unit and mobile unit can be so defined.
5. The Applicant contests that Chu does not teach "a communication link where a message requests routing of a call; selecting a call route; or requesting setup of the call."

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6. Examiner replies that Chu may not use the precise terminology of the claim, but as cited below teaches the limitation e.g. 'perform call setup and switching functions ' can be interpreted as requesting routing for a call and selecting a route.

7. Applicant argues that to the extent that the Office may be asserting that these aspects of claim 22 are inherent in the cited disclosure of Chu, Applicants respectfully disagree since to be inherent, it must necessarily be so.

8. Examiner notes that Chu teaches of wireless signals i.e. messages, received by the repeaters from end-user devices (see Abstract).

9. With regard to independent claim 22, Applicants submits that claim 22 has been amended to include the features of dependent claim 24, so that claim 22 now recites "[a] method of operating a communication system, the method comprising: sending, by a first terminal via a communication link, a message requesting routing of a call from the first terminal to a second terminal; receiving, by the first terminal via the communication link, a message comprising call routing information identifying call routes though a network; selecting, at the first terminal, a call route based upon the call routing information, the selecting comprising providing a user of the first terminal with call routing options using the call routing information, and receiving from the user of the first terminal an indication of a selected call route; and transmitting, by the first terminal via the communication link, a message requesting setup of the call from the first terminal to the second terminal using the selected call route."

10. Applicants then argues that the cited portion of Wadin at column 1, lines 13-26 does not, teach "providing a user of the first terminal with call routing options [from the first terminal to a second terminal] using the call routing information" and "receiving from the user of the first terminal an indication of a selected call route [from the first terminal to the second terminal]," as required by Applicants' amended claim 22 that incorporates the features of claim 24.

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11. Examiner replies that Wadin teaches does not teach "providing a user of the first terminal with call routing options [from the first terminal to a second terminal] using the call routing information" and "receiving from the user of the first terminal an indication of a selected call route [from the first terminal to the second terminal]."

12. However, this limitation is taught by Capps (U.S. Patent 7086008) i.e. (16: [0046] read Routing options for a note document are accessed i.e. providing a user of the first terminal with call routing options when the user taps a routing action button 372 to display a routing menu 374 listing four routing actions (printing, faxing, beaming, and mailing) together with "duplicate" note and "delete" note actions. Putting the screen interface of FIG. 14 in the context of the process depicted in FIG. 13, one can see that when the user taps button 372 decision step 342 is answered in the affirmative i.e. receiving from the user of the first terminal an indication of a selected call route. Then, the menu listing available routing transactions is displayed as menu 374 in FIG. 14 (in accordance with step 344).....)

13. Applicant argues that the Office cites teachings relating to operation of the "access point" rather than those of the "mobile unit" of Norman, which the Office previously identified as teaching Applicants' claimed "first terminal," and fails to provide any explanation of how the cited teachings purportedly apply to actions of the "mobile unit" of Norman, in order to teach Applicants claim feature. Therefore, Applicant argues that the Office does not show that Norman teaches that the "mobile unit," which the Office asserts teaches Applicants' claimed "first terminal," performs the claimed "selecting" that Applicants' claim 22 requires be performed at the "first terminal" and submits that the interpretation of the cited teachings of Norman used by the Office in the rejection of this aspect of claim 22 is inconsistent with the interpretation of teachings of Norman used in rejecting other aspects of claim 22.

14. Examiner replies that as the claim calls for a first and second terminal, then an embodiment of such terminals can be a mobile unit or base station. Examiner broadly interprets first and second terminal.

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Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

a. A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 22 – 23, 25 – 31, 38 – 39, 41 – 50, 61 – 66, 68 – 74, 81 – 83, 85 – 94, 102 – 103, and 105 – 114 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norman, et al (U.S. Patent 5737328), hereafter Norman, in view of Chu et al (U.S. Patent 5890055) and in further view of Capps (U.S. Patent 7086008).

17. In consideration of claims 22 and 65, Norman teaches of a method of operating a communication system (see Figure 5; read mobile unit (MU) and access point (AP)), comprising: sending, by a first terminal via a communication link a message; (Figure 10 read 122 receive find router packet) receiving by a first terminal via the communication link a message comprising call routing information identifying one or more calls through a network; selecting at a first terminal a call route based upon the call routing information; (16:[0061] read [t]urning now to FIG. 10, the registration procedure from the perspective of each of the access points 42 will now be described beginning with step 120. The registration routine is executed by the processor 56 in the access point. In step 122, the processor 56 determines whether a "find router" packet has been received via the RF section 60 i.e. receiving via the communication link a message comprising routing information, from a mobile unit as discussed above in connection with step 102 in FIG. 9. If not, the processor 56 executes a loop around step 122 until such time as a "find router" packet is received as discussed above in connection with steps 104 and 106 in FIG. 9) selecting a route based upon the call routing information; (20: [0003] read FIG. 12 illustrates the routine executed by the processor 56 in each access point 42 in order to update the contents of the "current location" table,

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beginning in step 148. Following step 148, the processor 56 proceeds to step 150 where it checks whether a current location information packet has been received from one of the access points 42. If not, the processor 56 continues to loop through step 150. If yes, the processor 56 temporarily stores the packet in the memory 58 and proceeds to step 152. The processor 56 in step 152 reads the data in the data field of the current location information packet to determine which mobile unit locations are being updated i.e. selecting a call route based upon the call routing information) and transmitting via the communication link a message requesting setup of the call using the selected call route. (16: [0061] read ..When a "find router" packet is received in step 122, the processor 56 proceeds to step 124 whereby the access point 42 transmits "router identification" via the RF section 50 i.e. transmitting via the communication link a message using the selected route.)

18. Norman does not disclose a communication link where a message requests routing of a call; selecting a call route; or requesting setup of the call.

19. Chu teaches of requesting routing of a call; selecting a call route; and requesting setup of the call. (4: [0005] read Base station 110 i.e. access point, may be comprised of hardware and software components that perform call setup and switching functions for calls originated from i.e. requesting routing for a call, or destined for wireless end-user devices 10, 11, 12, 14, 50 and 51. The call setup and switching functions i.e. call route, of base station 110 include allocation and administration of radio channels for active wireless end-user devices, tearing down a connection at the end of a call, coordination of call hand-offs from one microcell site to another.)

20. Norman does not provide a user with call routing options using the call routing information; and receiving from the user an indication of a selected call route.

21. Chapps teaches of providing a user with call routing options using the call routing information; and receiving from the user an indication of a selected call route (16: [0046] read Routing options for a note document are accessed i.e. providing a user of the first terminal with call routing options when the

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user taps a routing action button 372 to display a routing menu 374 listing four routing actions (printing, faxing, beaming, and mailing) together with "duplicate" note and "delete" note actions. Putting the screen interface of FIG. 14 in the context of the process depicted in FIG. 13, one can see that when the user taps button 372 decision step 342 is answered in the affirmative i.e. receiving from the user of the first terminal an indication of a selected call route. Then, the menu listing available routing transactions is displayed as menu 374 in FIG. 14 (in accordance with step 344).....)

22. It would have been obvious at the time the invention was made to a person of ordinary skill in the art to modify the operating communication system teachings of Norman with the call setup, routing teachings of Chu and routing option teachings of Chapps.

23. In this manner, mobile units in a communication system can initiate a call by registering with an access point that can process and facilitate the calls in a hierarchal manner.

24. In consideration of claims 23, 39, 66, 83, and 103, Norman modified teaches the limitations of claim 22, but does not disclose where the call is a voice call.

25. Chu teaches where the call is a voice call. (4:[0050] read .. alternatively, wireless end-user devices 50-53 may be personal multimedia terminals i.e. voice equipped with a wireless network interface adapter that may conform, for example, to the well-known Personal Computer Memory Card International Association (PCMCIA) standards.).

26. It would have been obvious at the time the invention was made to a person of ordinary skill in the art to modify the operating communication system teachings of Norman with the voice call teachings of Chu.

27. In this manner, mobile units in a communication system can initiate a voice call making mobile communication viable.

28. Regarding claims 25, 41, 68, 85, and 105, Norman teaches where the communication link is a wireless link. (3:[0051] read [t]he present invention relates to a network communication system in which

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the access points providing wireless access to the system reroute misrouted information packets in the event the location of a mobile unit has changed.)

29. With regards to claims 26 – 27, 42 – 43, 61, 69 – 70, 86 – 87, and 106 – 107, Norman modified teaches the limitations of claim 25, but does not disclose where the wireless link communicates using a frequency of approximately 2.4 gigahertz.

30. Chu teaches where the wireless link communicates using a frequency of approximately 2.4 gigahertz. (4:[0055] read [f]or example, repeaters 100-103 may use direct sequence (or frequency hopping) spread spectrum techniques in both the 900 MHz, 2.45 GHz or higher frequency ISM bands for communications with wireless end-user devices 50-53.)

31. It would have been obvious at the time the invention was made to a person of ordinary skill in the art to modify the operating communication system teachings of Norman with the 2.45 GHz or higher frequency ISM bands teachings of Chu.

32. In this manner, mobile units in a communication system can initiate a voice call making mobile communication viable over a durable and noise tolerant link.

33. In regards to claim 28 – 29, 44 – 45, 63 – 64, 71 – 72, 88 – 89, and 108 – 109, Norman teaches wherein the communication link uses a packet protocol such as the Internet protocol. (12:[0017] read [r]eferring briefly to FIG. 8, the basic format is shown for an information packet as referred to herein. The information packet is generally designated 86 and includes a source address field which includes the address of the device originally transmitting the packet.)

34. Regarding claims 30, 49, 73, 93, and 113, Norman teaches wherein the message requesting routing of a message, i.e. call comprises at least a destination identifier.(12:[0017] read Referring briefly to FIG. 8, the basic format is shown for information packet as referred to herein. The information packet is generally designated 86 and includes a source address field which includes the address of the device originally transmitting the packet. In addition, the packet 86 includes a destination address field i.e.

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message requesting routing of a call comprises at least a destination identifier, which includes the address of the device which is intended to ultimately receive the information packet.).

35. With respect to claims 31, 50, 74, 94, and 114, Norman modified teaches the limitations of claim 30, where the destination address is a unique address, but does not disclose wherein the destination identifier comprises a telephone number.

36. Chu teaches of wireless telephones that use frequency dependent applications. (4:[0065] read Likewise, communications between repeaters 100 – 103 and wireless telephone sets 10 – 13 may take place at yet another frequency that is application-dependent.)

37. It would have been obvious at the time the invention was made to a person of ordinary skill in the art to modify the operating communication system teachings of Norman with the telephone teachings of Chu.

38. Norman modified where packets whose unique destination identifier comprises a telephone number would enable wireless telephone users to set up calls in order to communicate over a public or private telephone exchange.

39. In consideration of claims 38, 82, and 102, Norman teaches of a method of operating a communication system (see Figure 5; read mobile unit (MU) and access point (AP)), comprising: receiving via a first communication link a message requesting routing; (Figure 10 read 122 receive find router packet) receiving via the communication link a message comprising call routing information selecting a second communication link based upon at least the message requesting routing; (16:[0061] read [t]urning now to FIG. 10, the registration procedure from the perspective of each of the access points 42 will now be described beginning with step 120. The registration routine is executed by the processor 56 in the access point. In step 122, the processor 56 determines whether a "find router" packet has been received via the RF section 60 i.e. receiving via the communication link a message comprising call routing information, from a mobile unit as discussed above in connection with step 102 in FIG. 9. If not,

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the processor 56 executes a loop around step 122 until such time as a "find router" packet is received as discussed above in connection with steps 104 and 106 in FIG. 9) accepting via the first communication link a message; (20:[0003] read FIG. 12 illustrates the routine executed by the processor 56 in each access point 42 in order to update the contents of the "current location" table, beginning in step 148. Following step 148, the processor 56 proceeds to step 150 where it checks whether a current location information packet has been received from one of the access points 42. If not, the processor 56 continues to loop through step 150. If yes, the processor 56 temporarily stores the packet in the memory 58 and proceeds to step 152. The processor 56 in step 152 reads the data in the data field of the current location information packet to determine which mobile unit locations are being updated i.e. selecting a call route based upon the call routing information) and establishing call communication between the first communication link and the second communication link based upon the message requesting setup of a call. (16:[0061] read ..When a "find router" packet is received in step 122, the processor 56 proceeds to step 124 whereby the access point 42 transmits "router identification" via the RF section 50 i.e. transmitting via the communication link a message using the selected route.)

40. Norman does not disclose a communication link a message requesting routing of a call; selecting a call route; or requesting setup of the call.

41. Chu teaches of requesting routing of a call; selecting a call route; and requesting setup of the call.(4:[0005] read Base station 110 i.e. access point, may be comprised of hardware and software components that perform call setup and switching functions for calls originated from i.e. requesting routing for a call, or destined for wireless end-user devices 10, 11, 12, 14, 50 and 51. The call setup and switching functions i.e. call route, of base station 110 include allocation and administration of radio channels for active wireless end-user devices, tearing down a connection at the end of a call, coordination of call hand-offs from one micro cell site to another.)

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42. It would have been obvious at the time the invention was made to a person of ordinary skill in the art to modify the operating communication system teachings of Norman with the call setup and routing teachings of Chu.

43. In this manner, mobile units in a communication system can initiate a call by registering with an access point that can process and facilitate the calls in a hierarchal manner.

44. In regards to claims 46, 90, and 110, Norman teaches wherein the second communication link is a wired communication link. (Figure 4, second communication link of access point; token ring T1 –T4 i.e. wired)

45. In regards to claim 47 – 48, 62, 91 – 92, and 111 – 112, Norman modified teaches the limitations of claim 46, but does not disclose where the wired communication link comprises a link to a conventional telephone switching network or an analog communication link.

46. Chu teaches where the wired communication link comprises a link to a conventional telephone switching network or an analog communication link (Figure 1; read fixed network i.e. conventional telephone switching network 120 and base station 110 analog communication link).

47. It would have been obvious at the time the invention was made to a person of ordinary skill in the art to modify the operating communication system teachings of Norman with the hardwired network teachings of Chu.

48. In this manner, mobile units in a communication system can initiate a call to an ubiquitous conventional analog telephone network making the system more accessible to the end user.

49. In regards to claim 81, Norman teaches the limitations of claim 65, but does not disclose where the communication device is portable communication device.

50. Chu teaches where the communication device is portable communication device.(3:[0019] read [e]amples of those devices are shown in FIG. 1 as the wireless telephone sets i.e. portable communication devices 10, 11, 12 and 14, and the multimedia workstations 50 and 51 ...)

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51. It would have been obvious at the time the invention was made to a person of ordinary skill in the art to modify the operational communication system teachings of Norman with the portable communication device teachings of Chu.

52. Norman modified in this manner, enables users communication access over a free space medium making the network more compelling to use for the end user.

53. Claims 34 – 36, 53 – 57, 59 – 60, 77 – 79, 97 – 101, and 117 – 121, are rejected under 35 U.S.C. 103(a) as being unpatentable over Norman, et al (U.S. Patent 5737328), hereafter Norman, in view of Chu et al (U.S. Patent 5890055) in view of Wadin (U.S. Patent 5491739) and in further view of Chapps (U.S. Patent 5491739).

54. With respect to claim 34, 53, 77, 97, and 117, Norman modified teaches the limitations of claim 33, where the destination address is a unique address, but does not disclose wherein the destination identifier comprises a telephone number.

55. Wadin teaches wherein the destination identifier comprises a telephone number. (3: [0039] read A communication system which enables communication link establishment between two Second Generation Cordless Telephones (CT-2) having pagers .. A calling party dials an MVP access number i.e. destination identifier comprises a telephone number and the MVP responds ...)

56. It would have been obvious at the time the invention was made to a person of ordinary skill in the art to modify the operating communication system teachings of Norman with the telephone teachings of Wadin.

57. Norman modified where packets whose unique destination identifier comprises a telephone number would enable wireless telephone users to set up calls in order to communicate over a public or private telephone exchange.

58. In regards to claims 35 – 36, 54, 78 – 79, 98 – 99, and 118 – 119, Norman modified teaches the limitations of claim 22, but does not disclose of receiving via the communication link a message

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indicating call status where the call status represents one of a destination busy condition, a destination ringing condition, and a connection established.

59. Wadin teaches of receiving via the communication link a message indicating call status where the call status represents one of a destination busy condition, a destination ringing condition, and a connection established. (1:[0015] read [a] communication system which enables communication link establishment between two Second Generation Cordless Telephones CT-2) ... The caller is put on hold and may continue to hold i.e. call status represents one of a destination busy condition, or leave a message i.e. call status represents a connection established.)

60. It would have been obvious at the time the invention was made to a person of ordinary skill in the art to modify the communication system teachings of Norman with the call options/routing teachings of Wadin.

61. Norman modified in this manner provides mobile subscribers with a compelling set of communication options in setting up a call.

62. In consideration of claim 56 – 57, and 59 – 60, 100 – 101, 120 – 121, Norman modified teaches the limitations of claim 38, but does not disclose where the establishing comprises converting analog representations of voice signals to digital representations of voice signals, and converting digital representations of voice signals to analog representations of voice signals and vice versa.

63. Wadin teaches where the establishing comprises converting analog representations of voice signals to digital representations of voice signals, and converting digital representations of voice signals to analog representations of voice signals and vice versa. (2:[0055] read In FIG. 2, a radio system 200 in accordance with the invention is shown. A detailed discussion of CT-2 systems can be found in two standards documents, the Common Air Interface (CAI) published by The European Telecommunications Standards Institute (ETSI) Version 1.1 Jun. 30, 1991 and MPT 1375 Common Air Interface

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Specification, May 1989, published by the Department of Trade and Industry, London, which are hereby incorporated by reference. i.e. A/D converters)

64. It would have been obvious at the time the invention was made to a person of ordinary skill in the art to modify the communication system teachings of Norman with the A/D teachings of Wadin.

65. Norman modified in this manner allows analog signals to be converted into digital signals which can further be processed and transported into packets compatible with private and public switching voice communications networks making the system more compelling.

66. Claims 32 – 33, 37, 51 – 52, 58, 75 – 76, 80, 95 – 96, and 115 – 116 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norman, et al (U.S. Patent 5737328), hereafter Norman, in view of Chu et al (U.S. Patent 5890055) in view of Spiegel (U.S. Patent 5649108) and in further view of Chapps (U.S. Patent 5491739).

67. In regards to claims 32, 51, 75, 95, and 115, Norman modified teaches the limitations of claim 22, but does not disclose where the call routing information comprises a cost of use of a communication link.

68. Spiegel teaches where the call routing information comprises a cost of use of a communication link of (1:[0040] read [t]he routing protocol for connection setup packets is based on a link-state protocol. Specifically, every source node and every intermediate node capable of rerouting obtain a map of the network topology, including the presence of all links, together with a link cost that indicates the desirability of using that link i.e. call routing information comprises a cost of use of a communication link.).

69. It would have been obvious at the time the invention was made to a person of ordinary skill in the art to modify the operation communication system teachings of Norman with the link cost teachings of Spiegel.

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70. Norman modified with the link cost teachings of Spiegel would enable to access point to determine from a multitude of routes, that route which is of least cost, thus optimizing network resources in the operation communication system.

71. In regards to claim 33, 52, 76, 96, and 116, Norman teaches wherein the message requesting setup of the call comprises at least a destination identifier.(12:[0017] read Referring briefly to FIG. 8, the basic format is shown for information packet as referred to herein. The information packet is generally designated 86 and includes a source address field which includes the address of the device originally transmitting the packet. In addition, the packet 86 includes a destination address field i.e. message requesting routing of a call comprises at least a destination identifier, which includes the address of the device which is intended to ultimately receive the information packet.).

72. In regards to claims 37, 58 and 80, Norman modified teaches the limitations of claim 22 of exchanging or not information via the communication link (3: [0051] read In a preferred embodiment, each of the access points in the system maintains communication i.e. exchanging information via the communication link with the other access points and informs the other access points when a mobile unit has registered with it.)

73. Norman does not disclose of requesting setup of the call if call status indicating establishment of a connection is received or not i.e. refraining.

74. Chu teaches of requesting setup of the call if call status indicating establishment of a connection is received or not. (4:[0005] read Base station 110 i.e. access point, may be comprised of hardware and software components that perform call setup and switching functions for calls originated from i.e. requesting routing for a call, or destined for wireless end-user devices 10, 11, 12, 14, 50 and 51. The call setup and switching functions i.e. call route, of base station 110 include allocation and administration of radio channels for active wireless end-user devices, tearing down a connection at the end of a call, coordination of call hand-offs from one microcell site to another.)

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75. It would have been obvious at the time the invention was made to a person of ordinary skill in the art to modify the operating communication system teachings of Norman with the call setup and routing teachings of Chu.

76. In this manner, mobile units in a communication system can initiate a call by registering with a access point that can process and facilitate the calls in a hierarchal manner.

FINAL ACTION

77. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

78. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action

Conclusion

79. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HENRY BARON whose telephone number is (571)270-1748. The examiner can normally be reached on 7:30 AM to 5:00 PM E.S.T. Monday to Friday.

80. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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81. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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